

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Richmond Division

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 3:02CR
)	
MOHAMED SAAD ELSHARKAWY)	18 U.S.C. § 1028(f)
(Counts 1 - 6))	Conspiracy
)	(Count 1)
and)	
)	18 U.S.C. § 1028(a)(1)
MOHAMMED M. ABDELLATIF)	Identification Fraud
(Counts 1, 4 - 6))	(Counts 2 - 6)
)	
Defendants,)	

INDICTMENT

NOVEMBER 2002 TERM - AT RICHMOND

THE GRAND JURY CHARGES THAT:

COUNT ONE

(Conspiracy)

At all times relevant and material to this Indictment:

Introduction

1. The defendant, MOHAMED SAAD ELSHARKAWY, was a resident of Parsippany, New Jersey.
2. The defendant MOHAMED MOHAMED ABDELLATIF, was not a resident of Richmond, Virginia.

Obtaining Identification Documents

3. To obtain a Virginia Identification Card or Virginia Driver's License, an applicant must ordinarily present proof of identity and Virginia residence to the Virginia Department of Motor Vehicles (DMV). The DMV requires two official identification documents as proof of identity and one official or business document as proof of Virginia residence. Prior to September 21, 2001, however, applicants lacking the required documentary proof of identity and Virginia residence could complete and submit DMV forms DL6 and DL51 in lieu of the required documents.

4. DMV form DL6 is an identity affidavit. Prior to September 21, 2001, the DMV would accept a properly completed DL6 form in lieu of one of the two identification documents required to apply for a license or identification card. The form requires the applicant to provide and swear to his name, address, and basic biographic information.

5. DMV form DL51 is a residency certification. Prior to September 21, 2001, the DMV would accept a properly completed DL51 form in lieu of documentary proof of Virginia residence. The form requires the applicant to provide and swear to his name and to his place and length of Virginia residence. The form further requires the sworn, notarized certification of a Virginia resident.

Through the certification, the Virginia resident swears that he is personally acquainted with the applicant and that the applicant lives at the Virginia address listed on the form.

6. Virginia identification cards, driver's instructional permits, and driver's licenses are identification documents made and issued by and under the authority of the Commonwealth of Virginia. All such identification documents are maintained on DMV's mainframe computer in Richmond, Virginia.

Conspiracy

7. From in or about the Spring of 2000 and continuing until the date of this Indictment, the defendants, MOHAMED SAAD ELSHARKAWY and MOHAMED MOHAMED ABDELLATIF, did unlawfully, knowingly, and intentionally combine, conspire, confederate and agree with each other and other persons known and unknown to the Grand Jury to commit the following offense against the United States: to knowingly and without lawful authority produce identification documents in and affecting interstate commerce, in violation of Title 18, United States Code, Section 1028(a)(1).

Manner and Means

8. It was part of the conspiracy that after unsuccessfully attempting to obtain driver's licenses in New Jersey, MOHAMED SAAD ELSHARKAWY and

his conspirators, known and unknown to the grand jury, would and did travel from New Jersey to Virginia to obtain false identification documents from the DMV. As part of the application process, a conspirator submitted a false residency certification for ELSHARKAWY.

Overt Acts

9. In furtherance of the conspiracy and to effect the objects thereof, the defendants and other conspirators, both known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Virginia and elsewhere:

(1) On or about May 23, 2000, MOHAMED SAAD ELSHARKAWY traveled from New Jersey to Virginia to fraudulently obtain identification documents from the DMV.

(2) On or about May 23, 2000, MOHAMED SAAD ELSHARKAWY, a resident of New Jersey, submitted to DMV an application for a driver's instructional permit on which he fraudulently listed his address as 2201 Richfield Greenway, Richmond, Virginia, an address which was not his true address and which did not exist. As a result, he caused DMV to issue a driver's instructional permit to him.

(3) On or about June 20, 2000, MOHAMED SAAD ELSHARKAWY

traveled from New Jersey to Virginia to fraudulently obtain an identification document from the DMV.

(4) On or about June 20, 2000, MOHAMED SAAD ELSHARKAWY, a resident of New Jersey, submitted to DMV an application for a driver's license on which he fraudulently listed his address as 2201 Richfield Greenway, Richmond Virginia, an address which was not his true address and which address did not exist. As a result, he caused DMV to issue a Virginia Driver's License to him.

(5) On or about October 13, 2000, MOHAMED SAAD ELSHARKAWY assisted a conspirator, MOHAMAD MOHAMED ABDELLATIF, to obtain a fraudulent Virginia Identification Card by preparing a Residency Certification which fraudulently stated that he (ELSHARKAWY) had resided at 2201 Richfield Greenway for six months, and that ABDELLATIF had resided at 2201 Richfield Greenway for one week.

(6) On October 13, 2000, MOHAMAD MOHAMED ABDELLATIF, aided and abetted by ELSHARKAWY, obtained a Virginia Identification Card by fraudulently stating that his address was 2201 Richfield Greenway, Richmond, Virginia.

(7) On December 13, 2000, MOHAMAD MOHAMED

ABDELLATIF, aided and abetted by ELSHARKAWY, obtained a Virginia Driver's Instructional Permit by fraudulently stating that his address was 2201 Richfield Greenway, Richmond, Virginia.

(8) In or about March of 2001 MOHAMED SAAD ELSHARKAWY obtained a New Jersey Driver's License by submitting his Virginia Driver's License to the New Jersey DMV.

(9) On April 11, 2001, MOHAMAD MOHAMED ABDELLATIF, aided and abetted by ELSHARKAWY, obtained a Virginia Driver's License by fraudulently stating that his address was 2201 Richfield Greenway, Richmond, Virginia.

(In violation of Title 18, United States Code, Section 1028(f).)

COUNT TWO

(Driver's Instructional Permit)

On or about May 23, 2000, at Richmond, Virginia, in the Eastern District of Virginia, the defendant, MOHAMED SAAD ELSHARKAWY, knowingly and without lawful authority produced and caused to be produced an identification document, namely a Virginia Driver's Instructional Permit Card, and aided and abetted the same, when such production was in and affected interstate commerce, in that in the application process for a Virginia Driver's Instructional Permit, the

defendant submitted an application on which he fraudulently stated his residence was 2201 Richfield Greenway, Richmond, Virginia, when in fact 2201 Richfield Greenway was a nonexistent address and ELSHARKAWY resided in New Jersey. (In violation of Title 18, United States Code, Sections 1028(a)(1), (b)(1)(A)(ii), and (c)(3)(A), and 2.

COUNT THREE

(Driver's License)

On or about June 20, 2000, at Richmond, Virginia, in the Eastern District of Virginia, the defendant, MOHAMED SAAD ELSHARKAWY, knowingly and without lawful authority produced and caused to be produced an identification document, namely a Virginia Driver's License, and aided and abetted the same, when such production was in and affected interstate commerce, in that in the application process for a Virginia Driver's License, the defendant submitted an application on which he fraudulently stated his residence was 2201 Richfield Greenway, Richmond, Virginia, when in fact 2201 Richfield Greenway was a nonexistent address and ELSHARKAWY resided in New Jersey. (In violation of Title 18, United States Code, Sections 1028(a)(1), (b)(1)(A)(ii), and (c)(3)(A), and 2.)

COUNT FOUR

(Virginia Identification Card)

On or about October 13, 2000, at Arlington, Virginia, in the Eastern District of Virginia, the defendants, MOHAMED SAAD ELSHARKAWY and MOHAMED MOHAMED ABDELLATIF, knowingly and without lawful authority produced and caused to be produced an identification document, namely a Virginia Identification Card for ABDELLATIF, and aided and abetted the same, when such production was in and affected interstate commerce, in that in the application process for a Virginia Identification Card, ABDELLATIF submitted (1) an application on which he fraudulently stated his residence was 2201 Richfield Greenway, Richmond, Virginia, and (2) a Residency Certification, on which both he and ELSHARKAWY fraudulently stated that he (ABDELLATIF) lived at 2201 Richfield Greenway, when in fact 2201 Richfield Greenway was a nonexistent address.

(In violation of Title 18, United States Code, Sections 1028(a)(1), (b)(1)(A)(ii), and (c)(3)(A), and 2.)

COUNT FIVE

(Driver's Instructional Permit)

On or about December 13, 2000, at a DMV Branch Office in Springfield

and at the DMV mainframe computer in Richmond, Virginia, in the Eastern District of Virginia, the defendants, MOHAMED SAAD ELSHARKAWY and MOHAMED MOHAMED ABDELLATIF, knowingly and without lawful authority produced and caused to be produced an identification document, namely a Virginia Identification Card for ABDELLATIF, and aided and abetted the same, when such production was in and affected interstate commerce, in that in the application process, ABDELLATIF submitted an application on which he fraudulently stated his residence was 2201 Richfield Greenway, Richmond, Virginia, when in fact 2201 Richfield Greenway was a nonexistent address. (In violation of Title 18, United States Code, Sections 1028(a)(1), (b)(1)(A)(ii), and (c)(3)(A), and 2.)

COUNT SIX

(Driver's License)

On or about April 11, 2001, at the DMV Branch Office in Abington, Virginia, in the Western District of Virginia, and at the DMV mainframe computer in Richmond, Virginia, in the Eastern District of Virginia, the defendants, MOHAMED SAAD ELSHARKAWY and MOHAMED MOHAMED ABDELLATIF, knowingly and without lawful authority produced and caused to be produced an identification document, namely a Virginia Driver's License for

ABDELLATIF, and aided and abetted the same, when such production was in and affected interstate commerce, in that in the application process, ABDELLATIF submitted an application on which he fraudulently stated his residence was 2201 Richfield Greenway, Richmond, Virginia, when in fact 2201 Richfield Greenway was a nonexistent address.

(In violation of Title 18, United States Code, Sections 1028(a)(1), (b)(1)(A)(ii), and (c)(3)(A), and 2.)

A TRUE BILL:

FOREPERSON

Date: _____

PAUL J. MCNULTY
UNITED STATES ATTORNEY

By: _____
David T. Maguire
Assistant United States Attorney

S. David Schiller
Assistant United States Attorney